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August 8, 2023

Via ECF Filing

Molly C. Dwyer
Clerk of Court
United States Court of Appeals for the Ninth Circuit
James R. Browning Courthouse
95 7th Street
San Francisco, CA 94103

Re: *Bielski v. Coinbase, Inc.*, Case No. 22-15566

Dear Ms. Dwyer:

This Court heard oral argument in the above-captioned matter on February 14, 2023 but deferred submission of the case pending the Supreme Court's decision in *Coinbase, Inc. v. Bielski*. On June 23, the Supreme Court issued that decision, and this Court submitted the appeal on the same date. ECF No. 76.

In *Coinbase*, the Supreme Court held that a district court must stay proceedings while an interlocutory appeal of the denial of a motion to compel arbitration under the Federal Arbitration Act, 9 U.S.C. § 16(a), is pending. *Coinbase, Inc. v. Bielski*, 599 U.S. ___, 143 S. Ct. 1915, 1923 (2023). Because this is such an appeal, proceedings in the Northern District of California are now stayed until this Court decides the appeal.

I write to alert this Court to the Supreme Court's guidance about expediting consideration of this appeal. In *Coinbase*, the Supreme Court explained that, on remand, it "anticipate[d]" that the Ninth Circuit "will proceed with appropriate expedition when considering Coinbase's interlocutory appeal from the denial of the motion to compel arbitration." *Id.*

The Supreme Court's guidance recognizes that time is of the essence for Mr. Bielski and parties like him who have prevailed against arbitration motions in district court. Mr. Bielski alleges that he was defrauded out of more than \$30,000 held in his Coinbase account in 2021. ECF No. 49 at 5. After repeated fruitless attempts to get Coinbase to help him retrieve his funds, he filed this lawsuit in September 2021. *Bielski v. Coinbase, Inc.*, No. 3:21-CV-07478 (N.D. Cal.), Dkt. 1. Nearly two years later, Mr.



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Bielski has been unable to make any substantive progress toward a resolution, because he has been briefing and arguing motions and appeals (largely about arbitration).

Accordingly, Mr. Bielski respectfully requests that the Court issue its decision as soon as possible.

Respectfully submitted,

/s/ Glenn E. Chappell

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